

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines and Minerals – Mining Lease held by M/s. Nandipati Rajya Lakshmi Mines for Limestone over an extent of 44.95 Acres in Sy.No.480/44 in Konanki Village in Piduguralla Mandal, Guntur District – Determined – Revision Filed – Restoration – Orders – issued.

INDUSTRIES AND COMMERCE (MINES.II) DEPARTMENT

G.O.Ms.No. 64

Dated:29-02-2012

Read the following:

1. G.O.Ms.No.566, Inds. & Com. (M.II) dept., dated:06-11-2000
2. G.O.Ms.No.370, Ind & Com. (M.II) dept., dated:31-12-2003.
3. Revision Application of M/s Nandipati Rajya Lakshmi Mines, dated:12.01.2004
4. Govt.Letter No.31378/M.II(2)/2004-4, dated:27.12.2010 addressed to Ministry of Mines, Government of India.
5. From Minister of Mines, Government of India
Lr.No.02(11)/2009-RC.II, dated:26.05.2011 .
6. Representation of Sri N.Venkata Reddy, M/s Rajyalakshmi Mines, dated: 18.06.2011.
7. Govt.Memo No.31378/M.II(2)/2004-5, dated:15.07.2011
8. From the Director of Mines and Geology, Hyderabad File No.5807/R3-2/2004, dated:01.10.2011.

ORDER

In the G.O. first read above, the Government have granted Renewal of Mining Lease for Limestone over an extent of 44.95 Acres in Survey No.480/44 of Konanki Village, Piduguralla Mandal, Guntur District, for a further period of 20 years, in favour of M/s.Nandipati Rajya Lakshmi Mines and the lease deed was executed on 12-03-2001. Subsequently, in the G.O. second read above determine the lease held by M/s.Nandipati Rajyalakshmi Mines in the subject area for submitting fake challans and cheating to the Government. Aggrieved by the orders, the lessee filed revision before Government of India on 12.01.2004.

2. M/s.Nandipati Rajyalakshmi Mines filed W.P.No.4662/2004 in the Hon'ble High Court of Andhra Pradesh, against cancellation of the lease. The Hon'ble High Court at the admission stage through order dated:15.03.2004 directed the petitioner to deposit the outstanding amount Rs.7,72,664/- within a period of (3) weeks and on such deposit, the Respondent shall permit the petitioner to operate the mine, subject to outcome of the Revision pending before Government of India. The Hon'ble High Court on 13.07.2004 issued orders in W.P.M.P.No.16052/2004 filed by the petitioner duly condoning the delay in depositing the amount within the time stipulated.

3. The Revision Tribunal at the Ministry of Mines, Government of India by final order No.29/2006, dated:28.09.2006 disposed the Revision application setting-aside the demand notice dated:31.12.2003 issued by the Department to the extent of levying penal interest and remanded back to the state Government with a direction to charge simple interest as per Rules 64-A of MC Rules, 1960. Accordingly the DMG vide memo No.5807/R3-1/2004, dated:13.06.2007 directed the ADMG to revise the interest duly charging interest after 60th day as per Rule 64-A of MC Rules 1960, in accordance with orders passed by the Government of India. Therefore the Assistant Director of Mines & Geology, Dachepally revised the mineral revenue assessments by duly charging the interest part under Rule 64-A of MC Rules 1960 and issued revised demand notice No.5423/M/2000, dated: 06.09.2007. The lessee cleared the entire dues i.e., interest amount of Rs.8,64,308/- vide challan No.10158 dated:01.10.2007 and submitted original challan and requested to take further necessary action on the Mining Lease held by M/s.Nandipati Rajyalakshmi Mines for Limestone over an extent of 44.95 Acres in Konanki Village, Guntur District. Government vide Letter No.31378/M.II(2)/2004, dated:20-08-2008 while stating all facts of the case, requested the GOI to clarify whether the State Government may revoke the orders issued in G.O.Ms.No.370, Dt:31-12-2003, Inds & Com. Department.

4. In the reference fifth read above, the Government of India informed that as all arrears have been paid by the Revisionist, State Government G.O.Ms.No.370, dated:31.12.2003 is revoked and set-aside. The State Government is advised to consider the mining lease of Revisionist as per the provisions of Mines and Minerals (Development and Regulation) Act, 1957 and Rules thereunder.

5. In the reference eight read above, the Director of Mines and Geology, Hyderabad has stated that the Assistant Director of Mines & Geology, Dachepally requested to consider the request of M/s.Nandipati Rajyalakshmi Mines for restoration of Mining lease as the lessee company has cleared all dues upto 31.03.2011 in view of the Government of India Revisional orders vide No.345/2011, dated:24.05.2011 and requested the Government to restore the mining lease for limestone over an extent of 44.95 Acres in Sy.No.480/44 of Konanki Village, Piduguralla Mandal, Guntur District held by M/s Nandipati Rajyalakshmi Mines, since the Revision authority at Ministry of Mines, Government of India issued specific orders for restoration of the mining lease.

6. Government after careful examination of the matter hereby restore the order issued in the G.O. first read above granting mining lease for limestone over an extent of 44.95 Acres in Sy.No.480/44 of Konanki Village, Piduguralla Mandal, Guntur District held by M/s.Nandipati Rajyalakshmi Mines as per the provisions of Mines and Minerals (Development and Regulation) Act 1957 and Rules there under.

7. The Director of Mines & Geology, Hyderabad, is requested to take necessary action in the matter accordingly as per Rules.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

DR. PREM CHAND
PRINCIPAL SECRETARY TO GOVERNMENT

To

Smt. Nandipati Rajyalakshmi,
Prop: M/s.Nandipati Rajyalakshmi Mines,
H.no.16/19/1,
Piduguralla – 522 413,
Guntur District

The Director of Mines & Geology, Hyderabad (w.e.file)

Copy to:

The Assistant Director of Mines and Geology, Guntur.

The District Collector, Guntur.

The Secretary to Govt. of India, Ministry of Mines,
Sastry Bhavan, New Delhi-110 001

The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines,
Nagpur - 440 001.

The Director General, Mines Safety, Dhanbad, Jarkhand.

The Regional Controller of Mines, Koti, Hyderabad.

The P.S. to Prl.Secretary to Govt., Ind. & Com Dept.,
SF/SC

" A copy of this order is available on the Internet and can be accessed at the address "<http://www.ap.gov.in/goir>".

//FORWARDED BY ORDER//

SECTION OFFICER